

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAB-01

EB-07 OMB-01 TRSE-00 /066 W
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R 232115Z DEC 75

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 6154

INFO PANCANAL

USCINCSO

C O N F I D E N T I A L PANAMA 7905

E.O. 11652:NGDS

TAGS: PFOR, EGEN, PN, PQ

SUBJECT: UNILATERAL ACTIONS: JOINT US-PANAMA COMMISSION

REF: STATE 288656

1. GENERAL TORRIJOS HAS INFORMED AMBASSADOR JORDEN THAT PANAMA'S PARTICIPANTS ON THE PROPOSED JOINT UNITED STATES-PANAMA COMMISSION FOR THE PURPOSE OF INCREASING PANAMANIAN COMMERCIAL ENTERPRISE IN THE CANAL ZONE (REFTEL) WILL BE EDWIN FABREGA, DIRECTOR OF GOP ELECTRIC UTILITY IRHE, AND ARNOLDO CANO, DIRECTOR OF NATIONAL PORT AUTHORITY.

2. THESE DESIGNATIONS WERE NOT PRESENTED EXPLICITLY AS EITHER "HIGH" OR "WORKING" LEVEL (PARAGRAPH 6 REFTEL), AND IT IS DIFFICULT TO CHARACTERIZE THEM UNEQUIVOCALLY IN EITHER FASHION. BOTH ARE HEADS OF AUTONOMOUS GOVERNMENT AGENCIES WITH CONSIDERABLE DECISION-MAKING AND/OR ADVISORY AUTHORITY; IN ADDITION, FABREGA IS AN INFLUENTIAL TECHNICAL ADVISER TO THE PANAMANIAN TREATY NEGOTIATORS. HOWEVER, BOTH ARE PRIMARILY TECHNICAL, RATHER THAN POLITICAL, OFFICIALS. WE CONSIDER THE APPOINTMENTS A SIGNAL THAT THE GOP WISHES THE PROPOSED JOINT COMMISSION TO BE A SENIOR-LEVEL WORKING BODY WHERE OPERATIONAL
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IDEAS MAY BE EXCHANGED AND ACTIONS DISCUSSED ON A

TECHNICAL BASIS.

3. WITH THIS DESIGNATION, THE BALL NOW APPEARS TO BE BACK IN OUR COURT AS TO THE ESTABLISHMENT AND FUNCTIONING OF THE JOINT COMMISSION. WITH THIS IN VIEW, THE EMBASSY OFFERS THE FOLLOWING THOUGHTS:

A. ESTABLISHMENT: WE SUGGEST THAT THE JOINT COMMISSION BE ESTABLISHED SIMPLY THROUGH INFORMING THE GOP OF OUR PROPOSED PARTICIPANTS, AND SUGGESTING THAT IT HOLD AN INITIAL MEETING AND PLAN ITS OWN FUTURE WORK. ALTHOUGH SOMETHING MORE FORMAL MIGHT BE DESIRABLE LATER, WE CONSIDER THAT IT WOULD BE BEST AT PRESENT TO AVOID A FORMAL "ESTABLISHMENT" WHICH COULD ENTAIL A PROBABLY FRUITLESS DISCUSSION OF WHAT SUCH A BILATERAL BODY WOULD DO. IF THIS ENSUED, IT WOULD GET IN THE WAY OF WHAT BOTH SIDES DESIRE, NAMELY, THAT THIS BODY DISCUSS CONCRETE IDEAS, NOT THEOLOGY. INITIALLY, WE WOULD FORESEE THE JOINT COMMISSION TAKING UP THOSE UNILATERAL ACTIONS WHICH HAVE ALREADY BEEN PROPOSED AND ARE IN RELATIVELY ADVANCED STATES OF CONSIDERATION ON BOTH SIDES, E.G. PROPOSED USE OF US NAVY TRANS-ISTHMIAN PIPELINES BY PANAMA.

B. PUBLICITY: WE SHOULD BE GUIDED BY GOP DESIRES IN REGARD TO PUBLICIZING THE ESTABLISHMENT OF THIS JOINT COMMISSION. ALBEIT THIS WOULD BE SIGNIFICANT UNILATERAL ACTION IN ITSELF, PUBLICITY COULD ALSO RAISE EXPECTATIONS PREMATURELY. FOR THIS REASON, UNLESS AND UNTIL THE GOP ITSELF DESIRES TO PUBLICIZE THE COMMISSION, WE CONSIDER THAT WE SHOULD NOT SUGGEST PUBLICITY (BEYOND INFORMAL DISCUSSION IN INFLUENTIAL CIRCLES HERE) UNTIL SOMETHING CONCRETE CAN BE SHOWN AS A CONSEQUENCE OF THIS BODY'S EXISTENCE.

C. PARTICIPATION: WE SUGGEST THAT UNITED STATES PARTICIPATION ON THE JOINT COMMISSION CONSIST OF SENIOR WORKING-LEVEL REPRESENTATIVES DESIGNATED BY EACH OF THE THREE PRC PRINCIPALS. IT IS CONFIDENTIAL

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UNDERSTOOD THAT PANCANAL, SOUTHCOM AND THE EMBASSY WOULD DRAW ON OTHERS AS REQUIRED BY ANY PARTICULAR MATTER UNDER DISCUSSION, AND THAT WE WOULD CONVEY THE UNDERSTANDING THAT THE PANAMANIAN REPRESENTATIVES WOULD DO THE SAME AS THEY FOUND THIS NECESSARY OR DESIRABLE.

D. US POLICY COORDINATION: THE PRC WOULD BE THE

APPROPRIATE LOCAL VEHICLE FOR COORDINATION AMONG THE
CONCERNED AGENCIES ON THE ISTHMUS, WITH EACH
AGENCY HAVING REFERENCE TO ITS WASHINGTON SUPERIORS
AS REQUIRED IN CONNECTION WITH ANY PARTICULAR ACTION
OR PROPOSAL.

4. IF THE FOREGOING SUGGESTIONS ARE ACCEPTABLE, WE
SUGGEST THEY BE CONVEYED BY THE UNITED STATES NE-
GOTIATORS TO THEIR COUNTERPARTS, AND BY THE
AMBASSADOR TO GENERAL TORRIJOS, WITH A SUGGESTION THAT
THE MEMBERS OF THE JOINT COMMISSION MAKE CONTACT AND ARRANGE
TO HOLD AN INITIAL MEETING AS SOON AS FEASIBLE.

5. PANCANAL AND USSOUTHCOM CONCUR IN THE FOREGOING MESSAGE.
JORDEN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMITTEE MEETINGS, JOINT VENTURES, PANAMA CANAL TREATY, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975PANAMA07905
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
Film Number: D750446-0384
From: PANAMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751215/aaaaamxl.tel
Line Count: 130
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 288656
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 15 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 SEP 2003 by greeneet>; APPROVED <30 OCT 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNILATERAL ACTIONS: JOINT US-PANAMA COMMISSION
TAGS: PFOR, EGEN, PN, PQ, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006